

REMARKS

Restriction Requirement

In the Office Action, the examiner indicated restriction to one of the following patentably distinct groups to be required under 35 U.S.C. 121:

I. Claims 1 - 5, drawn to a vaccine composition comprising a recombinant PlpE outer membrane protein immunogen selected from the group consisting of *M. haemolytica* of SEQ ID NO: 2 and an antigenic subunit thereof of SEQ ID NO: 11, 12, 13, 14, 15, 16, 17 and 18.

II. Claims 6-8, drawn to a method for inducing an immune response in cattle comprising administering a vaccine composition comprising a recombinant PlpE outer membrane protein immunogen of *M. haemolytica* or an antigenic subunit thereof.

Election

Applicant elects, without traverse, the invention of Group I, claims 1-5, for prosecution on the merits. Claims 6-8 have been withdrawn in accordance with this election, without prejudice to their rejoinder in accordance with the provisions of MPEP § 821.04.

Species Election

In the Office Action, the examiner further indicated election of a single disclosed species of the generic invention to be required, namely, as between the species denominated (a) - (f) in paragraph 7 of the Action.

Election

Applicant elects the species denominated (a), namely, the PlpE protein of SEQ ID NO: 2.

Claim 3 is readable on the elected species.

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This paper is intended to constitute a complete response to the outstanding Office Action.

Examination consonant with the elections made herein is respectfully requested.

Respectfully submitted,



SIGNATURE OF PRACTITIONER

9/3/04

DATE

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